

REMARKS

The instant Amendment After Final Office Action pursuant to 37 CFR 1.116 is filed to place the application in condition for allowance to advance the prosecution of the instant application. Claims 23, 25-27 and 29-41 were pending, where Claims 23, 25-27, 29-34, 40 and 41 stand allowed, with Claims 37 and 39 objected to and Claims 35-36, and 38 rejected over prior art. Applicants appreciate the indication of the allowed claims and the indications of allowable subject matter with amendments of the Claims according to subject matter stated as allowable, and further respectfully amend Claims 35, 37, 38, and 39 as set forth herein and which patentably define over the prior art and place the Claims in condition for allowance.

Claims 35-36, and 38 stand rejected based on the cited documents (Murtha (US 4642710), and Yokoo (EP 0898237)). Applicants respectfully assert that the subject matter of the current claims 35, 36, 38 is patentable over the cited documents, with the amendments to Independent Claims 35 and 38 as described herein to overcome the rejection.

Specifically, the Examiner states at pages 2-3 of the action that regarding claim 35, Murtha discloses an electronic toy comprising: ... the display comprising a plurality of stacked plates each having a group of holes formed in pattern, the patterns being formed in different shapes from each other and a plurality of light sources each disposed at a side face of the corresponding plate so that when one of the light sources is lit, the light from the lit source enters the corresponding plate and the group of holes formed thereon are illuminated to display the pattern formed with the group of holes (figures 2-9 and col. 3, lines 27-61). However, the cited portion (col. 3, lines 27-61) of Murtha does not disclose “a plurality of stacked plates each having a group of holes formed in pattern”, and does not disclose “a plurality of light sources each disposed at a side face of the corresponding plate so that when one of the light sources is lit, the light from the lit source enters the corresponding plate and the group of holes formed thereon are illuminated to display the pattern formed with the group of holes”. Murtha teaches in the above-mentioned portion that the LCD (Liquid Crystal Device) and addressing circuitry

comprises a pair of glass panels disposed in spaced parallelism with the gap therebetween filled with a liquid crystal composition. As the liquid crystal generally is a liquid substance, accordingly the interpretation that each of Murtha's glass panels has a group of holes is not supported as discussed herein.

Moreover, Murtha teaches in figure 1A that a liquid crystal display support 80 and a PC board 82 are provided on the back side of the LCD 84, and any back-side light source cannot be found there. Therefore, the interpretation that Murtha discloses "a plurality of light sources each disposed at a side face of the corresponding plate" is not borne out by the Murtha disclosure. It appears that the Murtha's LCD is of reflection type including no back-side light source.

Further, Murtha teaches in the above-mentioned portion that the layer of liquid crystal composition is disposed in an invisible electrically-conductive matrix arranged in the form of segments representative of eyebrows, eyes and mouth in different positions suggesting different facial expressions. It appears that the facial expressions are changed as a result of the changing of the optical characteristics of the liquid crystal composition when a driving voltage is applied thereto. Since different facial expressions are present by changing the position to which the voltage is applied, it is adequate that only one of the glass plates is provided with the layer of liquid crystal composition disposed in an invisible electrically-conductive matrix arranged in the form of segments. Accordingly, an interpretation that Murtha discloses "the display comprising a plurality of stacked plates each having a group of holes formed in pattern, the patterns being formed in different shapes from each other and a plurality of light sources each disposed at a side face of the corresponding plate so that when one of the light sources is lit, the light from the lit source enters the corresponding plate and the group of holes formed thereon are illuminated to display the pattern formed with the group of holes" is not reasonable. Also asserted is that Murtha discloses "the visible electrically-conductive matrix" whereas, Murtha actually discloses "the invisible electrically-conductive matrix."

Moreover whereas it is further asserted that Murtha discloses "a smoked plate mounted in front of the display memory means that stores data indicative of a plurality of

eye expression patterns (figure 1; wherein the matrix of the LCD is the smoke plate)” Applicants respectfully submit that the matrix formed on one of the Murtha glass plates is composed of transparent conductive material and itself constitutes part of the LCD together with the glass plates and the liquid crystal material disposed between the glass plates. Therefore, the Applicants respectfully submit that an interpretation to the contrary would be improper.

Since Murtha does not disclose or suggest the “light sources” and the “holes” as recited in claim 35, an interpretation that Murtha discloses a control electrically coupled to the plurality of light sources, wherein the controller selects an eye expression pattern among the plurality of eye expression patterns and controls lighting of one or more of the light sources so as to illuminate the selected group or groups of holes to display the selected eye expression pattern (figure 2 and col. 3, line 52-col. 4, line 2) is improper.

The Examiner states in the Action that Claim 36 are rejected under 35 USC 103(a) as being unpatentable over Murtha in view of Yokoo, and that claim 38 is rejected under 35 USC 103(a) as being unpatentable over Murtha in view of Kamiya. However, in view of the Murtha disclosure described above regarding claim 35, Applicants respectfully request the Examiner to reconsider this rejection in view of the above arguments.

For at least the above reason, reconsideration of this application in view of the above arguments and withdrawal of the rejection are respectfully requested. If the Examiner would like to discuss Applicant’s invention prior to issuing an action, the Examiner should feel free to contact the undersigned attorney.

In view of the foregoing, Applicant has placed the case in condition for reconsideration and respectfully requests allowance of the pending claims.

Respectfully submitted,

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